

DETAILED ACTION

Response to Amendment

1. The amendment filed 07 April 2008 has not been accepted or entered.
2. The amendment filed 13 June 2008 has been accepted and entered.
3. Pursuant to the telephone interviews held with the Attorney of Record, Douglas Mueller, the claims of the instant application have been reexamined in light of the amendments submitted under PCT Article 19(1) on 04 January 2006.

Allowable Subject Matter

4. Claims 2-13 and 15-23 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Regarding claim 2, the prior art of record does not disclose or make obvious, along with the other claimed limitations, a plastic identifying apparatus comprising: namely, wherein the toppling system topples the object to be identified by applying a pushing force to at least a part of an end region of the second face on a side of the first face and at least a part of an end region of a third face, which is opposed to the second face, on a side opposite to the first face, thereby allowing the second face to face the identifying and detecting portion as the identification face.

Regarding claims 3-13, the balance of claims is found allowable due to their dependence upon an already allowed claim and lacking any technical errors.

Regarding claim 15, the prior art of record does not disclose or make obvious, along with the other claimed limitations, a plastic identifying method comprising: namely, wherein the object to be identified is toppled by applying a pushing force to at

least a part of an end region in the second face on a side of the first face and at least a part of an end region in a third face, which is opposed to the second face, on a side opposite to the first face, thus placing the object to be identified such that the second face serves as the identification face.

Regarding claims 16-23, the balance of claims is found allowable due to their dependence upon an already allowed claim and lacking any technical errors.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

6. Applicant's arguments, see the instant Interview Summary and the amendment, filed 13 June 2008, with respect to the amendments to claims 1-23 under PCT Article 19(1) have been fully considered and are persuasive. The rejection of the claims has been withdrawn in light of the revised search of the PCT Article 19(1) amendments. Please refer to subsections #1-3 of this office action as well as the instant Interview Summary for further detail.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 2003/0136649 A1 – Tvinnereim discloses a system and method for sorting conveyed items.

US 2002/0179503 A1 – Yap discloses a system and method for sorting conveyed items.

US 5,779,026 A – Hosch discloses a system and method for sorting conveyed items.

US 4,852,029 A – Pope discloses a system and method of classifying conveyed items.

US 4,597,487 A – Crosby discloses a system and method for sorting conveyed items via magnetic means.

US 4,314,645 A – Perkins III discloses a system and method of sorting conveyed items.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID S. BAKER whose telephone number is (571)272-6003. The examiner can normally be reached on MTWRF 10:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DSB

/David P. Porta/

Supervisory Patent Examiner, Art Unit 2884

